

Filed for intro on 02/02/95
House Bill _____
By _____

Senate No. SB0896
By Kyle

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 211, Part 8, relative to solid waste management.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-211-835(e), is amended by adding the following language at the end of the subsection:

No surcharge payable to a host county may be imposed under this subsection in regard to the use of a privately owned or operated waste disposal facility without the consent of the operator of such waste disposal facility.

SECTION 2. Tennessee Code Annotated, Section 68-211-835(f), is amended by adding the following subdivisions:

(3) The maximum surcharge that may be imposed at a solid waste disposal facility or incinerator pursuant to subdivision (f)(1)(A) by a county, municipality, or solid waste authority shall not exceed a cumulative total of one dollar (\$1.00) per ton regardless of whether a county, municipality and/or solid waste authority each impose a surcharge. This surcharge shall supersede any other surcharge, privilege tax, or other tax imposed on municipal solid waste by a local government pursuant to a private act,

except pursuant to any private act enacted prior to July 1, 1991. Any surcharge imposed must be at the same rate for all solid waste disposal facilities and incinerators located within the county.

(4) Before any surcharge may be imposed pursuant to subdivision (1)(A), the county, municipality or solid waste authority shall prepare revenue projections showing:

(A) How much revenue would be raised by a surcharge in the amount being considered; and

(B) The purposes for which the revenue will be used by the county, municipality or authority.

Such revenue projections shall be consistent with the regional plan required by Section 68-211-815.

SECTION 3. This act shall take effect on becoming a law, the public welfare requiring it.

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